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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/472,068 | 12/23/1999 | OSAMU HORI | 0039-7484.2S | 8278 |

22850 7590 06/28/2006

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1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

ZIA, SYED

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2131

DATE MAILED: 06/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/472,068 | HORI ET AL. | |
| | Examiner | Art Unit | |
| | Syed Zia | 2131 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>05/03, 09/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to amendment filed on March 6, 2006. Original application contained Claims 1-21. Applicant previously amended Claims 1, 3, and 17. Applicant previously added new Claims 22-25. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. Therefore, presently pending claims are 1-25.

Response to Arguments

Applicant's arguments with respect to claim 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on May and September 2003 in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Nojima et al. U. S. Patent (6,442,532).

3. Regarding claim 1 Nojima teaches and describes an information providing system and method comprising:

- forming a program database by dividing multimedia information into items of partial information formed of frame or frames and respectively adding program feature data representing respective contents of the partial information to the plural partial information to thereby respectively store the partial information with the added program feature data in the program database (col.4 line 16 to line 50); searching for the partial information which accords with user profile data from the program database based on matching between the user profile

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data and the program feature data; and reading out the searched partial information from the database and providing the searched partial information to a user (col.4 line 51 to col.5 line 37).

4. Regarding claim 3 Nojima teaches and describes an information providing system and method comprising:

- a first database configured to store multimedia information; an analyze section configured to analyze said multimedia information stored in said first database in units of partial information of the multimedia information using at least one analysis method of moving image analysis, acoustic/speech analysis, and text analysis (col.4 line 16 to line 50)

- a second database configured to divide the multimedia information into plural partial information formed on frame or frames based on a result of the analysis by the analyze section and to add program feature data representing respective contents of the plural partial information which is obtained from a result of analysis made by the analyze section in units of the partial information or program feature data representing respective contents of the plural partial information which is externally inputted in units of the partial information to the plural partial information to thereby store the partial information with the added program feature data , (col.4 line 51 to col.5 line 37); and

- a search engine configured to search for program feature data from said second database in accordance with user profile data to find program feature data which accords with the user profile, and read the partial information from said first database in accordance with the found searched program feature data (col.8 line 44 to line 66).

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5. Regarding Claim 17 Nojima teaches and describes an information reception apparatus connected to an information providing server having an analyze section configured to analyze multimedia information using at least one analysis method of moving image analysis, acoustic/speech analysis, and text analysis, a database which divides multimedia information into partial information formed of a frame or frames based on a result of analysis by analyze section, each partial information including representative images of a respective multimedia information, adds either (1) program feature data representing respective contents of the plural partial information which is obtained from a result of analysis made by the analysis section in units of the plural information or (2) program feature data representing respective contents of the plural information which is externally input in units of the partial information to the plural partial information to thereby store the partial information with the added program feature data, (col.4 line 16 to col.5 line 37)the apparatus, comprising:

- a search engine configured to search for predetermined program feature data which accords with user profile data from said second database, and add the partial information from said database in accordance with searched program feature data (col.8 line 44 to line 66).

6. Claims 5-8, 11, 14, 19, and 22-24 are rejected applied as above rejecting claims 1, 3 and 17. Furthermore, Nojima teaches and describes a system and method for monitoring and selecting from a number of multimedia information, wherein:

- said user profile data includes information associated with the user's taste (col. 2 line 29 to line 34);

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- a keyboard configured to input said program feature data to said second database (col.4 line 30 to line 41);
- a third database configured to store said user profile data (col. 6 line 50 to col.7 line 3);
- a fourth database configured to store commercial message information and a fifth database configured to store commercial feature data, wherein said search engine searches for the commercial feature data from said fifth database in accordance with the user profile data, and searches for the commercial message information corresponding to a searched commercial feature data from said fourth database (col. 5 line 50 to col. 6 line 49);
- a history recording section configured to record a viewing history data of a user (col. 15 line 20 to line 35).
- a display section configured to display the partial information selected by said search engine (col. 10 line 1 to line 20);
- storing the user profile data, and updating the user profile data based on a result of a search by adding an item of information corresponding to the searched partial information to the user profile data (col. 6 line 38 to line 50).
- each plural partial information includes representative images of respective multimedia information (col.5 line 5 to line 18).

7. Claims 2, 4, 9-10, 12-13, and 15-16, 18, 20-21, and 25 are rejected applied as above rejecting claims 5, 8 11, 19, and 22-24. Furthermore, Nojima teaches and describes a system, and method where retrieval of individual sections of video and audio, based on content, wherein:

- adding commercial feature data to commercial information to form a commercial database; and providing, to the user, commercial information which accords with the user profile

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data based on matching between the user profile data and the commercial feature data when providing said searched partial information to the user (col. 7 line 66 to col.8 line 35);

- a link section configured to obtain a representative image of said partial information, and construct a display image including said representative image and searched program feature data (col. 3 line 2 to line 19);

- the user profile data include information representing one of a producer, title, character, and genre of the multimedia information (col.6 line 25 to line 37); and said search engine searches for program feature data from said second database, and data which matches a thesaurus of the program feature data (col. 5 line 58 to col.6 line 5);

- said viewing history data represents a user, start and end time of watch, and program feature data of information watched by the user (col. 4 line 56 to col.5 line 13);

- a third database configured to store said user profile data; and a rewrite section configured to rewrite the user profile data stored in said third database in accordance with said viewing history data (col. 6 line 38 to line 50);

- a display section configured to display the partial information selected by said search engine and display the commercial message information selected by said search engine as a banner (col.11 line 30 to line 46); and a display section configured to display the partial information selected by said search engine and display the commercial message information selected by said search engine as a sub window (col. 11 line 48 to col. 12 line 45);

- said group of information items including data indicating personal profile of the user; and said group of information items including data indicating taste of the user (col. 2 line 29 to line 34);

- each plural partial information includes representative images of respective multimedia information (col.5 line 5 to line 18).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SZ

June 10, 2006

